



Empowering Older Adults: Pursuing Justice & Elder Rights

Friday, September 15th, 2017

Steve Howe J.D., *Johnson Co District Attorney* Presentation Summary

During the Kansas Advocates for Better Care (KABC) annual business meeting/caregiver training, Johnson County's District Attorney Steve Howe received the **KABC Caring Award** for his "outstanding leadership to improve safety and justice for older Kansans". Throughout the last several years, Steve has been a pioneer in pursuing justice for those who have experienced elder abuse, neglect, and exploitation. KABC was fortunate enough to have Steve speak on financial and physical abuse and exploitation among the older adult population. The main topics of his discussion included: the importance of a multi-disciplinary approach, what we can do to help protect ourselves and others, and the importance of always striving to do better. Here is a brief summary:

Like domestic violence, elder abuse is very under-reported. Often times, older individuals do not report any type of abuse because they are afraid of losing their independence. Perpetrators are aware of this fear and prey on those individuals. Unfortunately, Steve said, the majority of his financial abuse cases are committed by family members. However, with the advancement of technology, strangers are increasingly able to hack accounts and take advantage of people of all ages. During his presentation, Steve described many of his cases that involved family members and organizational/business staff that committed financial abuse and exploitation. In order to help prosecute such persons, he and his team utilize a multi-disciplinary approach that includes social workers, physicians, nurses, etc. Using the experience and expertise of all professions is crucial when pursuing such complicated elder abuse cases. Steve said that this approach is so productive that "it should be implemented at the Federal level". Steve also reviewed ways we can protect ourselves and others.

One of the many challenges Steve identified with prosecuting offenders of elder abuse and exploitation was the holes and inconsistencies in related statutes; one may define the term "elder" as 60 years of age or older and one might define it as 70 years of age or older. Updating and creating consistency among these laws are useful approaches to protecting elder rights. Another strategy Steve offered to help prevent financial abuse and exploitation among the elderly population is to target mandatory reporters and do more to train staff in financial institutions. He noted that we could do a better job at providing trainings to tellers and other related staff on how to recognize financial exploitation. Since the majority of his financial abuse and exploitation cases are committed by family members, he emphasized the importance of properly planning your estate. Another point Steve made was about durable power of attorney (DPOA) paperwork. Often times, those who serve as the DPOA are the ones that financially exploit the elder. So, he posed the question, how can we give the DPOA enough power to do their jobs without creating an extra burden on them, but also make it so that they cannot exploit their loved one. One of the last points Steve made was in regards to striving to do better.

At the end of his presentation Steve said, "We can do better and we are trying to do better". That is what he and his team strives for in their work to protect elder rights. The cases they take on are extremely difficult and often times, other jurisdictions aren't willing to pursue similar cases. However, Steve said that the end product is always worth it; you are helping someone who is vulnerable and likely cannot help themselves.